

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATI**

DANIEL C. PIPPIN,

Petitioner,

: Case No. 1:14-cv-429

- vs -

District Judge Michael R. Barrett
Magistrate Judge Michael R. Merz

WARDEN CHILLICOTHE
CORRECTIONAL INSTITUTION,

:

Respondent.

ORDER

This case is before the Court on the Magistrate Judge's Report (Doc. 38) recommending that this case be dismissed. Petitioner timely submitted objections, "reiterat[ing] as he did in the ground one argument that he is being held in violation of the Due Process Clause of the Fourteenth Amendment[.]" (Doc. 39; PageID 2039). Despite an opportunity to do so, Respondent did not respond to Petitioner's objections. This matter is ripe for disposition.

The magistrate judge summarized the procedural history of this case, which will not be restated here.

When objections are received to a magistrate judge's report and recommendation on a dispositive matter, the district judge "must determine de novo any part of the magistrate judge's disposition that has been properly objected to." Fed. R. Civ. P. 72(b)(3). After review, the district judge "may accept, reject, or modify the recommended disposition; receive further evidence; or return the matter to the magistrate judge with instructions." *Id.*; *see also* 28 U.S.C. § 636(b)(1). General objections are insufficient to preserve issues for review; "[a] general objection to the entirety of the magistrate's report has the same effects as would a failure to object." *Howard v.*

Sec'y of H.H.S., 932 F.2d 505, 509 (6th Cir. 1991).

In light of the Petitioner's objections, "reiterating" his prior grounds, the Court must emphasize that a district court review of objections to a report and recommendation should not be duplicative. *Id.*. "Merely restating arguments previously presented, stating a disagreement with a magistrate judge's suggested resolution, or simply summarizing what has been presented before is not a specific objection that alerts the district court to the alleged errors on the part of the magistrate judge." *Renchen v. Comm'r of Soc. Sec.*, 2015 U.S. Dist. LEXIS 29910 at *3-4 (S.D. Ohio Mar. 11, 2015) (citing *Howard*, 932 F.2d at 508-09). Here, Petitioner has not stated *specific* objections to the magistrate judge's report and recommendation.

Therefore, consistent with the above, the Court **OVERRULES** Pippin's objections (Doc. 39), **ADOPTS** the magistrate judge's report and recommendation in its entirety (Doc. 38), and **DISMISSES** the Petition.



Hon. Michael R. Barrett
United States District Judge